Case 13-25353-GLT Doc 117 Filed 02/25/17 Entered 02/26/17 00:53:26 Desc Imaged Certificate of Notice Page 1 of 6

**Form 213** 

# IN THE UNITED STATES BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re:

William M. Foley Jr. dba CWI Enterprises Lisa M. Foley aka Lisa M Tessler Debtor(s) Bankruptcy Case No.: 13-25353-GLT

Related to Docket No. 115

Chapter: 13

Docket No.: 116 – 115

Concil. Conf.: May 11, 2017 at 09:00 AM

### **ORDER**

**WHEREAS**, the Trustee filed and served a *Certificate of Default Requesting Dismissal of Case*, alleging that the Debtor(s) failed to make regular plan payments and are in material default under the plan,

**IT IS HEREBY ORDERED** that, on or before **April 10, 2017,** Debtor(s) must file *Documentary Proof of Payment* according to the accompanying *Instructions*, together with either:

1. a *Notarized Affidavit* or *Declaration* under penalty of perjury that states Debtor(s)' current mailing address and includes an explanation of Debtor(s)' failure to comply with the current plan payment and/or a statement setting forth why the Debtor(s) dispute the *Certificate of Default*;

#### OR

2. a *Notice of Proposed Modification to Confirmed Plan* and an *Amended Plan* to cure the plan defaults. Debtor(s) must make all plan payments in accordance with the *Amended Plan* pending its confirmation. If the Debtor(s) default on such plan payments, and if the Trustee moves for dismissal of this case, the case will be **DISMISSED**, without further notice or hearing.

**IT IS FURTHER ORDERED** that, if the Debtor(s) elect to file an *Amended Plan*, the Debtor(s) must immediately serve a copy of the *Notice of Proposed Modification to Confirmed Plan*, the *Amended Plan*, and the *Documentary Proof of Payment* on the Chapter 13 Trustee and all parties on the mailing matrix and file a *Certificate of Service* with the Clerk.

On or before **April 24, 2017,** if the Debtor(s) elect to file an *Amended Plan*, all *Objections* must be filed and served on the Debtor(s), Chapter 13 Trustee and any creditor whose claim is the subject of the *Objection*. Any creditor who files a timely *Objection* must appear at the scheduled Conciliation Conference. Untimely *Objections* will not be considered.

On **May 11, 2017** at **09:00 AM** a Conciliation Conference (on plan defaults or the *Amended Plan*) will occur with the Chapter 13 Trustee at 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.

If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.

This case will be **DISMISSED WITHOUT PREJUDICE** and no hearing or conference shall take place, unless the Debtor(s) comply fully with this *Order* by filing and serving all of the required items.

Dated: February 23, 2017

cm: All Creditors and Parties In Interest

Gregory Taddonio, Judge United Staros Bankruptcy Court

### **INSTRUCTIONS FOR DOCUMENTARY PROOF OF PAYMENT**

In response to the Trustee's *Certificate of Default Requesting Dismissal of Case*, Debtor(s) must file *Documentary Proof of Payment* that at least one full plan payment has been submitted to the Trustee since the Trustee filed and served the *Certificate of Default*.

The *Documentary Proof of Payment* must include a copy of a money order, cashier's check, earnings statement(s) or pay stub(s) showing payroll or benefit deduction(s) used to make the plan payment.

The *Documentary Proof of Payment* must also include a copy of the Trustee's printout of the Debtor(s)' payment history of receipts (available on the Trustee's website) indicating the amounts and dates of payments received by the Trustee.

Debtor(s)' case name and bankruptcy case number must be included on the payment.

The plan payment must be sent to the Chapter 13 Trustee's lock box bank account addressed to:

Ronda J. Winnecour, Trustee P.O. Box 84051 Chicago, IL 60689–4002

# Case 13-25353-GLT Doc 117 Filed 02/25/17 Entered 02/26/17 00:53:26 Desc Imaged Certificate of Notice Page 4 of 6 United States Bankruptcy Court

Western District of Pennsylvania

In re:
William M. Foley, Jr. Lisa M. Foley Debtors

Case No. 13-25353-GLT Chapter 13

### CERTIFICATE OF NOTICE

District/off: 0315-2 User: ctak Page 1 of 3 Date Rcvd: Feb 23, 2017 Form ID: 213 Total Noticed: 66

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Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on
Feb 25, 2017.
                      #+William M. Foley, Jr., 123 Maryland Avenue, # 4, Millvale, PA 15209-2729
+Lisa M. Foley, 12310 Herold Drive, Irwin, PA 15642-2974
db
jdb
13772576
                       +Acs / College Loan Corp, 501 Bleecker Street, Utica, NY 13501-2401
                       +Acs / Pnc Bank Na, 501 Bleecker Street, Utica, NY 13501-2401
+Aldridge Connors LLP, Bankruptcy Department, 780 Johnson Ferry Road,
Atlanta, GA 30342-1439
13772577
13772578
13772579
                       +American Student Assistance Guarantor, 100 Cambridge Street,
                          Boston, MA 02114-2567
13772580
                       +Associates / Citibank,
                                                               Attn: Centralized Bankruptcy, 7255 Baymeadows Way,
                      Jacksonville, FL 32256-6851
++BANK OF AMERICA, PO BOX 982238,
                                                                               EL PASO TX 79998-2238
13772583
                       (address filed with court: Bank Of America, PO Box 982238, El Paso, TX 799 +Bac Home Loans Servicing, 450 American Street, Simi Valley, CA 93065-6285 +Barclays Bank Delaware, Attention: Customer Support Department, Po Box 883
                                                                                                                        El Paso, TX 79998)
13772582
13772584
                                                                                                                                 Po Box 8833,
                         Wilmington, DE 19899-8833
                       +Barua Orthopedics, Ltd, 607 Michigan Avenue, Je
+Chase, Po Box 15298, Wilmington, DE 19850-5298
+Chase 2500 Westfield Drive Floir II 60124-77
13772585
                                                                                                     Jeanette, PA 15644-2433
13772589
13772590
                                      2500 Westfield Drive, Elgin, IL 60124-7700
                       +Chase,
                       +Chase Bank USA NA, PO Box 740933, Dallas, TX 75374-0933
+Citibank, PO Box 790034, Saint Louis, MO 63179-0034
+College Loan Corporation, c/o ACS, PO Box 22724, Long Beach, CA 90801-5724
Consecofin, 345 Street Peter / 900 Landmark, Saint Paul, MN 55102
13772591
13772592
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                       +Diversified Collection, Po Box 9048, Pleasanton, CA 94566-9000 ECMC, P.O. Box 16408, St. Paul, MN 55116-0408 ECMC, PO Box 75906, Saint Paul, MN 55175
13772596
13805931
13772597
                       Equitable Gas Co, Allegheny Center Mall, Pittsburgh, PA 15212
+Fashion Bug / Soanb, 1103 Allen Drive, Milford, OH 45150-8763
13772598
13772599
                       +First Indiana, 135 North Pennsylvania Street, Indianapolis, IN 46204-2464
+First Premier Bank, 601 South Minnesota Avenue, Sioux Falls, SD 57104-4868
13772600
13772601
                       +Gregory Javardian, Esquire,
Southampton, PA 18966-4030
13772607
                                                                      1310 Industrial Boulevard,
                                                                                                                   1st Floor, Suite 101,
                       +HSBC Mortgage Services, Inc., PO Box 21188, Eagan, MN 55121-0188
+HSBC Mortgage Services, Inc., PO Box 21188, Saint Paul, MN 55121-0188
+Harley Davison Credit Corp., PO Box 829009, Dallas, TX 75382-9009
+Harley-Davidson Credit Corp., PO Box 9013, Addison, TX 75001-9013
+Hsbc / Ms, One HSBC Center, Buffalo, NY 14203-2843
13798361
13772613
13772609
13791556
13772610
                       +Hsbc / Retail Services, Attn: Bankruptcy, Po Box 5263,
+Hsbc Bank, PO Box 5253, Carol Stream, IL 60197-5253
13772611
                                                                                                                        Carol Stream, IL 60197-5263
13772612
                      +Missouri Student Loans, Aes / Ddb, Po Box 8183, Harrisburg, PA 17105-8183
++NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096
(address filed with court: Nationstar Mortgage, PO Box 630267, Irving, TX 75
13772617
13772620
                                                                                                                                 Irving, TX 75063)
                       +National Bankruptcy Services, LLC, c/o Hilary B. Bonial, PO Box 9013,
13772618
                       Addison, TX 75001-9013
+National City Card Services, 1 National City Parkway, Kalamazoo, MI 49009-8003
+PA Department of Labor and Industry, Attn: Joe Kots, 625 Cherry Street, Room 203,
13772619
13772622
                          Reading, PA 19602-1152
                       +Sears / Cbna, Attn: Bankruptcy Recovery,
                                                                                            PO Box 790034,
                                                                                                                       Saint Louis, MO 63179-0034
                       +Student Loan Mkt Assn, Attention: Bankruptcy, Po Box 790034, Saint Louis, MO 63179-0034
+Student Loan Mkt Assn, Attention: Bankruptcy, Po Box 9500, Wilkes-Barre, PA 18773-9500
+Target, Po Box 59317, Minneapolis, MN 55459-0317
+Tnb - Visa, Po Box 560284, Dallas, TX 75356-0284
US Bank National Association, PO Box 52708, Irvine, CA 92619-2708
Verizon, 500 Technology Drive #550, Saint Charles, MO 63304-2225
+Westmoreland Regional Hospital, 532 West Pittsburgh Street, Greensburg, PA 15601-2282
13772630
13772633
14314709
13772634
13772635
                       +Wfs Financial/Wachovia Dealer Services, Po Box 19657,
                                                                                                                 Irvine, CA 92623-9657
13772636
Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
                         E-mail/Text: g20956@att.com Feb 24 2017 01:37:18
                                                                                                          AT&T Mobility,
                          Carol Stream, IL 60197-6416
                       +E-mail/Text: g20956@att.com Feb 24 2017 01:37:18 AT&T Mobility II LLC,
13787377
                           % AT&T Services, Inc, Karen Cavagnaro, Paralegal,
                                                                                                              One AT&T Way, Room 3A104,
                          Bedminster, NJ 07921-2693
                         E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Feb 24 2017 01:39:46
13804781
                          American InfoSource LP as agent for, Verizon, PO Box 248838, Oklahoma City, OK 73124-8838
                       +E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Feb 24 2017 01:39:46
13772587
                                                                                                                                  Capital One, N.a.,
                       C/O American Infosource, Po Box 54529, Oklahoma City, OK 73154-1529 +E-mail/PDF: rmscedi@recoverycorp.com Feb 24 2017 01:33:32 Capital Rec
                                                                                                                   Capital Recovery II LLC,
13772588
                          c/o Recovery Management Systems Corp., 25 SE 2nd Avenue,
                                                                                                                         Suite 1120,
                          Miami, FL 33131-1605
13772595
                       +E-mail/Text: ccusa@ccuhome.com Feb 24 2017 01:36:31
                                                                                                                Credit Collection / Usa.
                                                                                                                                                        Po Box 873.
                          Morgantown, WV 26507-0873
                       +E-mail/PDF: gecsedi@recoverycorp.com Feb 24 2017 01:33:27 GE Mc Attention: Bankruptcy, Po Box 103106, Roswell, GA 30076-9106
13772602
                                                                                                                         GE Money Bank / HH Gregg,
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Page 2 of 3

Total Noticed: 66

Date Royd: Feb 23, 2017

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Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center
(continued)
13772603
                 +E-mail/PDF: gecsedi@recoverycorp.com Feb 24 2017 01:33:27
                                                                                       GE Money Bank / JCPenney,
                  Attention: Bankruptcy, Po Box 103104,
                                                                 Roswell, GA 30076-9104
                 +E-mail/PDF: gecsedi@recoverycorp.com Feb 24 2017 01:33:55
13772604
                                                                                       GE Money Bank / Old Navy,
                  Attention: Bankruptcy, Po Box 981400,
                                                                 ElPaso, TX 79998-1400
13772605
                 +E-mail/PDF: gecsedi@recoverycorp.com Feb 24 2017 01:33:55
                                                                                       GE Money Bank / Walmart,
                   Po Box 981400,
                                     El Paso, TX 79998-1400
                +E-mail/PDF: gecsedi@recoverycorp.com Feb 24 2017 01:33:30
                                                                                       GE Money Bank / Walmart Dc,
13772606
                   Attention: Bankruptcy, Po Box 103104, Roswell, GA 30076-9104
13772608
                 +E-mail/Text: bankruptcy.notices@hdfsi.com Feb 24 2017 01:37:20
                                                                                            Harley Davidson Financial,
                   Attn: Bankruptcy,
                                        Po Box 21850, Carson City, NV 89721-1850
13772614
                 +E-mail/Text: bnckohlsnotices@becket-lee.com Feb 24 2017 01:36:37
                                                                                               Kohls,
                Attn: Recovery Dept, Po Box 3120, Milwaukee, WI 53201-3120 +E-mail/PDF: gecsedi@recoverycorp.com Feb 24 2017 01:33:27 Lo
                                                                                      Lowes / MBGA,
13772615
                  Attention: Bankruptcy Department, Po Box 103104,
                                                                              Roswell, GA 30076-9104
                +E-mail/PDF: EBN_AIS@AMERICANINFOSOURCE.COM Feb 24 2017 01:39:46
by American InfoSource LP, Attn: Department 1, PO Box 4457,
13772616
                                                                                             Midland Funding LLC,
                                                                                            Houston, TX 77210-4457
                 +E-mail/Text: egssupportservices@egscorp.com Feb 24 2017 01:37:10
13772621
                                                                                              Nco Financial Systems,
                   507 Prudential Road, Horsham, PA 19044-2308
                 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Feb 24 2017 01:45:55
13850594
                 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541 E-mail/Text: RVSVCBICNOTICE1@state.pa.us Feb 24 2017 01:36:54
13788799
                   Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946,
                   Harrisburg, PA 17128-0946
13772623
                 +E-mail/Text: RVSVCBICNOTICE1@state.pa.us Feb 24 2017 01:36:55
                                                                                           Pennsylvania Dept. of Revenue,
                   Department 280946, PO Box 280946,
                                                           Attention: Bankruptcy Division,
                   Harrisburg, PA 17128-0946
13772625
                 +E-mail/PDF: resurgentbknotifications@resurgent.com Feb 24 2017 01:33:34
                Pinnacle Credit Service, Po Box 640, Hopkins, MN 55343-0640 +E-mail/Text: csidl@sbcglobal.net Feb 24 2017 01:37:14 Premies
13772626
                                                                                  Premier Bank Card / Charter,
                   PO Box 2208, Vacaville, CA 95696-8208
                                                                                                       TOTAL: 21
            ***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****
cr
                 NATIONSTAR MORTGAGE, LLC
                 U.S. Bank National Association, not in its individ
cr
13772586
              ##+Bureau Of Collection, 7575 Corporate Way, Eden Prairie, MN 55344-2022
              ##+Phelan Hallinan & Schmieg, LLP, c/o Robert P. Wendt, 555 Grant Street,
13772624
                                                                                                        Suite 360.
                   Pittsburgh, PA 15219-4411
              ##+RJM Acquisitions, LLC, 575 Underhill Boulevard, Suite 2, Syosset, NY 11791-3416 ##+Radiologic Consultants LTD, 514 Pellis Road, Suite 200, Greensburg, PA 15601-4593
13772628
13772627
13772632
              ##+The Bureaus Inc, 1717 Central Street, Evanston, IL 60201-1507
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Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

User: ctak

Form ID: 213

District/off: 0315-2

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 25, 2017 Signature: /s/Joseph Speetjens

District/off: 0315-2 User: ctak Page 3 of 3 Date Rcvd: Feb 23, 2017

Form ID: 213 Total Noticed: 66

### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 23, 2017 at the address(es) listed below:

Daniel P. Foster on behalf of Joint Debtor Lisa M. Foley dan@mrdebtbuster.com, clarissa@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com;anne@ecf.inforuptcy.com Daniel P. Foster on behalf of Plaintiff William M. Foley, Jr. dan@mrdebtbuster.com, clarissa@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com;anne@ecf.inforuptcy.com Daniel P. Foster on behalf of Debtor William M. Foley, Jr. dan@mrdebtbuster.com, clarissa@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com;anne@ecf.inforuptcy.com Daniel P. Foster on behalf of Plaintiff Lisa M. Foley dan@mrdebtbuster.com, clarissa@mrdebtbuster.com;fosterlaw@ecf.inforuptcy.com;anne@ecf.inforuptcy.com James Warmbrodt on behalf of Creditor U.S. Bank National Association, not in its individual capacity but solely as trustee for the RMAC Trust, Series 2016-CTT bkgroup@kmllawgroup.com
Jill Manuel-Coughlin on behalf of Creditor NATIONSTAR MORTGAGE, LLC jill@pkjllc.com, chris.amann@pkjllc.com;nick.bracey@pkjllc.com;samantha.gonzalez@pkallc.com Joshua I. Goldman on behalf of Creditor U.S. Bank National Association, not in its individual capacity but solely as trustee for the RMAC Trust, Series 2016-CTT bkgroup@kmllawgroup.com Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov Richard M. Squire on behalf of Creditor U.S. Bank National Association, not in its individual capacity but solely as trustee for the RMAC Trust, Series 2016-CTT lcolwell@squirelaw.com, kdiskin@squirelaw.com

Ronda J. Winnecour cmecf@chapter13trusteewdpa.com

TOTAL: 10